



**UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office**

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, DC 20231

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
08/919.823	08/28/97	VARGA	ATI-148.1

BRIAN ROFFE
376 YALE AVENUE
WOODMERE NY 11598-2051

FM52/1124

EXAMINER
PIHULIC, D

ART UNIT
3662

PAPER NUMBER

DATE MAILED: 11/24/98

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.
08/919,823

Applicant(s)
VARGA

Examiner
Daniel T. Pihulic

Group Art Unit
3662



☐ Responsive to communication(s) filed on _____

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire THREE month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) 1-26 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☒ Claim(s) 11-22 is/are allowed.

☒ Claim(s) 1-5, 7-10, and 23-26 is/are rejected.

☒ Claim(s) 6 is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☒ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been
☐ received.

☐ received in Application No. (Series Code/Serial Number) _____.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 4

☐ Interview Summary, PTO-413

☒ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

1. This application has been filed with informal drawings which are acceptable for examination purposes only. Formal drawings will be required when the application is allowed.

2. The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

4. Claims 1-4 and 23-26 are rejected under 35 U.S.C. 102(b) as being anticipated by Corrado et al. The Corrado et al. reference discloses a sensor system with two or more transducers as recited in the aforementioned claims.

5. Claims 1, 4 and 8 are rejected under 35 U.S.C. 102(e) as being anticipated by Takahashi et al. The Takahashi et al. reference discloses a sensor system with ceiling and dash mounted transducers as recited in the aforementioned claims.

6. Claims 1, 2, 4, 5, 23 and 24 are rejected under 35 U.S.C. 102(b) as being anticipated by Steffens, Jr. et al. The Steffens, Jr. et al. reference discloses a sensor system with a pattern recognition as recited in the aforementioned claims.

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 9 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Corrado et al. in combination with Takahashi et al. The Corrado et al. reference discloses the utilization of a sensor system with two or more transducers as recited in the claims. The difference between the Corrado et al. reference and the claims is that the claims recite the utilization of a ceiling mounted transducer. The Takahashi et al. reference teaches that it was well known in the art to utilize a ceiling mounted transducer. It would have been obvious to modify the Corrado et al. reference to utilize a ceiling mounted transducer as motivated by the Takahashi et al. reference to enable the Corrado et al. system to more accurately detect the position of a passenger of a vehicle to prevent undue harm if an air bag were to be deployed.


9. Claim 6 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

10. Claims 11-22 are allowed.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dan Pihulic whose telephone number is (703) 306-4168. The examiner can normally be reached on Monday-Thursday from 6:30 am to 4:00 pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Tarcza, can be reached on (703) 306-4171.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center receptionist whose telephone number is (703) 306-4177.

The fax phone number for this Technology Center is (703) 306-4195.


DANIEL T. PIHULIC
PRIMARY EXAMINER
ART UNIT 3662